

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BROCADE COMMUNICATIONS SYSTEMS, )  
INC., a Delaware corporation, and FOUNDRY )  
NETWORKS, LLC, a Delaware limited liability )  
company, )

Plaintiffs, )

v. )

A10 NETWORKS, INC., a California )  
corporation, LEE CHEN, an individual, )  
RAJKUMAR JALAN, an individual, RON )  
SZETO, an individual, LIANG HAN, an )  
individual, STEVEN HWANG, an individual, )  
and DAVID CHEUNG, an individual, )

Defendants. )

Case No.: 10-CV-03428-LHK

ORDER MEMORIALIZING  
AGREEMENTS REACHED AND  
FURTHER ACTIONS REQUIRED

The Parties met and conferred and reached the following resolutions, which were memorialized on the record:

1. By November 28, 2011, the Parties shall file a statement either informing the Court that resolution has been reached as to all pending discovery motions or informing the Court which motions must be argued at the November 29, 2011 case management conference.
2. By November 28, 2011, at 5:00 p.m., the parties shall file a joint case management statement, which includes a proposal to modify the protective order, a proposal on how the parties intend to narrow the case going forward and identify claims for trial, and a proposal for regular meetings with the Court to resolve ongoing disputes.

3. By November 29, 2011, the parties shall withdraw any motions or portions of motions for summary judgment for which construction of the ten claim terms to be construed at the December 19 hearing is not dispositive. The Court will strike any such motions or portions thereof if the parties fail to withdraw them.
4. By November 29, 2011, the parties shall file a stipulation, withdrawing without prejudice, the motion for summary judgment on assignor estoppel.
5. The CEO of A10, Lee Chen, and the Vice President of Brocade, Ken Cheng, are ordered to meet in person before the Markman hearing on December 19, 2011 to explore resolution of the case.
6. The November 29, 2011 case management conference remains as set.

**IT IS SO ORDERED.**

Dated: November 22, 2011

  
LUCY H. KOH  
United States District Judge